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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,069	10/30/2003	Prasenjit Sarkar	ARC920030075US1	9724
55508 7590 11/29/2008				
JOSEPH P. CURTIN, L.L.C. 1469 N.W. MORGAN LANE PORTLAND, OR 97229-5291				
EXAMINER				
CHANG, JULIAN				
ART UNIT		PAPER NUMBER		
2452				
MAIL DATE		DELIVERY MODE		
11/20/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### **DETAILED ACTION**

1. This Office action is responsive to communication filed on 11/12/08. Claim 7 is pending.

### ***Response to Arguments***

2. Applicant's arguments filed 11/12/08 have been fully considered but they are not persuasive.

- a. Applicant argues that Jolitz fails to teach initiating direct placement of data associated with an application packet header when a match with a data placement pattern occurs. In particular, applicant argues that Jolitz cannot teach such a direct data placement because the host system software swaps application memory for memory 24.

Applicant appears to be arguing that since memory 24 is not system RAM, there is no direct data placement. This argument is not persuasive. Jolitz clearly teaches that the host system driver swaps application memory or system RAM for memory 24. (Remarks 4; Jolitz [0045]). In other words, the application memory is no longer the system RAM, because it is "replaced" or "swapped" for memory 24. In essence, because of the swap, the application memory is now memory 24. Therefore, data placement into memory 24 is placement into application memory.

- b. Applicant argues that Jolitz and Connery fail to teach that the memory is a predetermined region of memory reserved for an application. In response to

applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The Office made no contention that Jolitz or Connery taught this limitation. As disclosed in the previous Office action, this limitation is taught by Follett.

c. Applicant argues that Follett fails to teach the steps of initiating direct data placement, and mapping a payload. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Follett was only relied upon to teach predetermined regions of memory reserved for an application.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JULIAN CHANG whose telephone number is (571)272-8631. The examiner can normally be reached on Monday thru Friday 9AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. C./  
Examiner, Art Unit 2452

/Kenny S Lin/  
Primary Examiner, Art Unit 2452